

1 **BEHAVIORAL HEALTH CRISIS RESPONSE MODIFICATIONS**

 2024 GENERAL SESSION

 STATE OF UTAH

Chief Sponsor: Steve Eliason

 Senate Sponsor: Evan J. Vickers

2
3 **LONG TITLE**

4 **General Description:**

5 This bill addresses behavioral health crisis response services.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ allows the Department of Health and Human Services (department) to reimburse
- 9 nonemergency secured behavioral health transport providers;
- 10 ▶ requires the department to apply for a Medicaid waiver or state plan amendment to allow
- 11 the department to assess nonemergency secured behavioral health transport providers certain
- 12 amounts;
- 13 ▶ if a Medicaid waiver or state plan amendment is approved, requires the department to
- 14 reimburse nonemergency secured behavioral health transport providers and authorizes the
- 15 department to make rules to implement the waiver or state plan amendment; and
- 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 This bill provides a special effective date.

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **26B-3-135 (Effective 05/01/24) (Superseded 07/01/24)**, as renumbered and amended by

24 Laws of Utah 2023, Chapter 306

25 **26B-3-135 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapter 310 and

26 renumbered and amended by Laws of Utah 2023, Chapter 306

28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **26B-3-135** is amended to read:

30 **26B-3-135 (Effective 05/01/24) (Superseded 07/01/24). Reimbursement for**
31 **nonemergency secured behavioral health transport providers.**

32 (1) The department may ~~not~~ reimburse a nonemergency secured behavioral health
33 transport provider that is designated under Section 26B-4-117.

34 (2) Before July 1, 2024, the department shall apply for a Medicaid waiver or state plan
35 amendment to allow the department to assess nonemergency secured behavioral health
36 transport providers an amount up to the non-federal share the department needs to seed
37 amounts that will support fee-for-service nonemergency secured behavioral health
38 transport rates adopted by the department.

39 (3) If a waiver or state plan amendment described in Subsection (2) is approved, the
40 department:

41 (a) shall reimburse a nonemergency secured behavioral health transport provider that is
42 designated under Section 26B-4-117 in an amount up to the nonemergency secured
43 behavioral health transport rates adopted annually by the department; and

44 (b) may make rules in accordance with Title 63G, Chapter 3, Utah Administrative
45 Rulemaking Act, to integrate assessments and payments to nonemergency secured
46 behavioral health transport providers designated under Section 26B-4-117.

47 Section 2. Section **26B-3-135** is amended to read:

48 **26B-3-135 (Effective 07/01/24). Reimbursement for nonemergency secured**
49 **behavioral health transport providers.**

50 (1) As used in this section, "nonemergency secured behavioral health transport" means the
51 same as that term is defined in Section 53-2d-101.

52 (2) The department may ~~not~~ reimburse a nonemergency secured behavioral health
53 transport provider that is designated under Section 53-2d-403.

54 (3) Before July 1, 2024, the department shall apply for a Medicaid waiver or state plan
55 amendment to allow the department to assess nonemergency secured behavioral health
56 transport providers an amount up to the non-federal share the department needs to seed
57 amounts that will support fee-for-service nonemergency secured behavioral health
58 transport rates adopted by the department.

59 (4) If a waiver or state plan amendment described in Subsection (3) is approved, the
60 department:

61 (a) shall reimburse a nonemergency secured behavioral health transport provider that is

62 designated under Section 26B-4-117 in an amount up to the nonemergency secured
63 behavioral health transport rates adopted annually by the department; and
64 (b) may make rules in accordance with Title 63G, Chapter 3, Utah Administrative
65 Rulemaking Act, to integrate assessments and payments to nonemergency secured
66 behavioral health transport providers designated under Section 26B-4-117.

67 Section 3. **Effective date.**

- 68 (1) Except as provided in Subsection (2), this bill takes effect on May 1, 2024.
69 (2) The actions affecting Section 26B-3-135 (Effective 07/01/24) take effect on July 1,
70 2024.